IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Mikko NEVALAINEN	Confirmation No.: 7062
Application No.: 10/599,947	Group Art Unit: 2617
Filed: February 26, 2007	Examiner: Georgewill, Opiribo

For: METHOD AND DEVICE FOR RESTRICTED EXECUTION OF APPLICATIONS ON A MOBILE TERMINAL

Commissioner for Patents
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) of February 23, 2011, please amend the Appeal Brief filed in this matter on February 15, 2011 as follows:

IN THE SUMMARY OF THE CLAIMED SUBJECT MATTER:

Please replace the SUMMARY OF THE CLAIMED SUBJECT MATTER (Section V.) with the following:

V.   SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed invention addresses drawbacks associated with present technologies for providing software (e.g., gaming software applications) to a mobile device of a user, on a trial basis, without providing any alternatives short of requiring the user to purchase the software.

Independent claim 1 recites:

1. Method comprising:

detecting, at a mobile terminal device, an input directed to start execution of an application on said mobile terminal device; *(See, e.g.,* Specification P. 2, lines 25-27; P. 14, line 24 to P. 15, line 3)

initiating a message to a surveillance center, wherein said message indicates that the application has been started; *(See, e.g.,* Specification P. 2, line 28 to P. 3, line 2; P. 15, lines 4-7; P. 19, line 30 to P. 20, line 12)

starting a restricted execution of said application, within a predetermined functional limit, after said message has been initiated; *(See, e.g.,* Specification P. 3, lines 3-6; P. 15, lines 10-11; P. 19, line 30 to P. 20, line 4)

determining whether the message has been sent; and *(See, e.g.,* Specification P. 8, line 27 to P 10; line 7, P. 15, lines 8-9; P. 20, lines 13-20)

further restricting the execution of said application, within a more restrictive functional limit, based on said determination. *(See, e.g.,* Specification P. 9, line 22 to P. 10, line 7; P. 20, lines 21-25)

Independent claim 27 recites:

27. Method comprising:

receiving a message from a mobile terminal device at a surveillance center, said message comprising application execution related data, wherein the message indicates that the application has been started, and wherein the message is initiated after a predetermined period of time has passed since the application was first started or after a predetermined

number of input actions has been input to the application; (*See, e.g.*, Specification P. 2, lines 15-21; P. 2, line 28 to P. 3, line 2; P. 3, lines 20-25; P. 5, lines 1-6; P. 5, line 28 to P. 6, line 10; P. 13, lines 5-14; P. 15, lines 4-7; P. 15, lines 23-29)

generating, at the surveillance center, an authorization to a restricted execution of said application within predetermined functional limits on said mobile terminal device; and (*See, e.g.*, Specification P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 13, line 26 to P. 14, line 2; P. 15, lines 23-29; P. 16, line 29 to P. 17, line 3)

determining to send said authorization to said mobile terminal device. (*See, e.g.*, Specification P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 16, lines 1-2; P. 16, line 29 to P. 17, line 3)

Independent claim 32 recites:

32. An apparatus comprising:

at least one processor; and

at least one memory including computer program code,

the at least one program code configured to, with the at least one processor, cause the apparatus to perform at least the following:

receive input; (*See, e.g.*, Specification P. 2, lines 25-27; P. 14, line 24 to P. 15, line 3; P. 17, lines 19-24)

detect, notify, and restrict the execution of an application; (*See, e.g.*, Specification P. 2, lines 25-27; P. 14, line 24 to P. 15, line 3; P. 17, lines 25-27)

notify the execution of said application to a surveillance center connected to said communication network by sending a message indicating that an application has been started; (*See, e.g.*, Specification P. 2, line 28 to P. 3, line 2; P. 15, lines 4-7; P. 17, line 28 to P. 18, line 2; P. 19, line 30 to P. 20, line 12)

restrict the execution of said application in accordance with a predetermined functional limit; (*See, e.g.*, Specification P. 3, lines 3-6; P. 15, lines 10-11; P. 17, lines 25-27; P. 19, line 30 to P. 20, line 4)

determine whether the message has been sent; and (*See, e.g.*, Specification P. 8, line 27 to P 10, line 7; P. 15, lines 8-9; P. 20, lines 13-20)

further restrict the execution of said application, within a more restrictive functional limit, based on the determination. (*See, e.g.*, Specification P. 9, line 22 to P. 10, line 7; P. 20, lines 21-25)

Independent claim 37 recites:

37. An apparatus comprising:

at least one processor; and

at least one memory including computer program code,

the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following:

receive messages comprising application execution related data from a mobile terminal device, wherein each message of the messages indicates that an application has been started, and wherein the message is initiated after a predetermined period of time has passed since the application was first started or after a predetermined number of input actions has been input to the application;

and *(See, e.g.,* Specification P. 2, lines 15-21; P. 2, line 28 to P. 3, line 2; P. 3, lines 20-25; P. 5, lines 1-6; P. 5, line 28 to P. 6, line 10; P. 13, lines 5-14; P. 15, lines 4-7; P. 15, lines 23-29; P. 19, lines 12-15)

generate an authorization for a restricted execution of said application within a predetermined functional limit on said mobile terminal, *(See, e.g.,* Specification P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 13, line 26 to P. 14, line 2; P. 15, lines 23-29; P. 16, line 29 to P. 17, line 3; P. 19, lines 16-26)

determine to send said generated authorization as a message via said communication network to said mobile terminal device. *(See, e.g.,* Specification P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 16, lines 1-2; P. 16, line 29 to P. 17, line 3; P. 19, lines 27-29)

Independent claim 39 recites:

39. Application execution system comprising:

a mobile terminal device comprising:

at least one processor; and

at least one memory including computer program code,

the at least one program code configured to, with the at least one processor, cause the apparatus to perform at least the following:

receive input; *(See, e.g.,* Specification P. 2, lines 25-27; P. 14, line 24 to P. 15, line 3; P. 17, lines 19-24)

detect, notify and restrict the execution of an application; *(See, e.g.,* Specification P. 2, lines 25-27; P. 14, line 24 to P. 15, line 3; P. 17, lines 25-27)

notify the execution of said application to a surveillance center connected to a communication network by sending a message indicating that an application has been started, (*See, e.g.*, Specification P. 2, line 28 to P. 3, line 2; P. 15, lines 4-7; P. 17, line 28 to P. 18, line 2; P. 19, line 30 to P. 20, line 12)

restrict the execution of said application in accordance with a predetermined functional limit; (*See, e.g.*, Specification P. 3, lines 3-6; P. 15, lines 10-11; P. 17, lines 25-27; P. 19, line 30 to P. 20, line 4)

determine whether the message has been sent; and (*See, e.g.*, Specification P. 8, line 27 to P 10, line 7; P. 15, lines 8-9; P. 20, lines 13-20)

further restrict the execution of said application, within a more restrictive functional limit, based on said determination; and (*See, e.g.*, Specification P. 9, line 22 to P. 10, line 7; P. 20, lines 21-25)

a surveillance center comprising:

an interface to a mobile communication network for receiving messages comprising application execution related data from a mobile terminal device; and (*See, e.g.*, Specification P. 2, lines 15-21; P. 2, line 28 to P. 3, line 2; P. 3, lines 20-25; P. 5, lines 1-6; P. 5, line 28 to P. 6, line 10; P. 13, lines 5-14; P. 15, lines 4-7; P. 15, lines 23-29; P. 19, lines 12-15)

an authorization generation circuit connected to said interface for generating an authorization for a restricted execution of said application within predetermined limits on said mobile terminal, (*See, e.g.*, Specification P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 13, line 26 to P. 14, line 2; P. 15, lines 23-29; P. 16, line 29 to P. 17, line 3; P. 19, lines 16-26)

wherein said interface is configured to send said generated authorization as a message via

said communication network to said mobile terminal device. (*See, e.g.*, Specification

P. 5, lines 1-6; P. 10, line 29 to P. 11, line 4; P. 13, lines 5-14; P. 16, lines 1-2; P. 16,

line 29 to P. 17, line 3; P. 19, lines 27-29)

Respectfully submitted,

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